UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

PJC LOGISTICS, LLC,

Plaintiff,

VS.

Civil Action No.: 11-cv-00675-ADM -JJG

ANDERSON TRUCKING SERVICE, INC.; ANNETT HOLDINGS, INC.; BARR-NUNN TRANSPORTATION, INC.; C.H. ROBINSON WORLDWIDE, INC.; CON-WAY TRUCKLOAD, INC.; CRETE CARRIER CORPORATION; CRST, INC.; DART TRANSIT COMPANY; DECKER TRUCK LINE, INC.; DEDICATED LOGISTICS, INC. (DLI); FORTUNE TRANSPORTATION COMPANY; FREMONT CONTRACT CARRIERS, INC.; GRAND ISLAND CONTRACT CARRIERS, INC.; HARRIS QUALITY, INC.; HEARTLAND EXPRESS, INC.; HUNT TRANSPORTATION, INC.; IWX MOTOR FREIGHT; K&B TRANSPORTATION, INC.; KOCH TRUCKING, INC.; LAKEVILLE MOTOR EXPRESS, INC.; MAYFLOWER TRANSPORTATION, LLC; M.C. INTERNATIONAL TRANSPORTATION, **INC.: METRO EXPRESS** TRANSPORTATION SERVICES, INC.: MIDWEST MOTOR EXPRESS, INC.; NEW PRIME, INC.: PRIME FLORAL, LLC: **RUAN TRANSPORTATION** MANAGEMENT SYSTEMS, INC.: SCHUSTER CO.; SHAFFER TRUCKING; SMITHWAY MOTOR XPRESS CORP.: TRANSPORT CORPORATION OF AMERICA, INC.; TRI-STATE MOTOR TRANSIT COMPANY, d/b/a BED ROCK, INC.; UNIGROUP WORLDWIDE, INC.; WALLER TRUCK CO., INC.; WEINRICH TRUCK LINE, INC.; and WERNER ENTERPRISES, INC.,

Defendants.

UNOPPOSED MOTION TO EXTEND TIME FOR DEFENDANTS TO ANSWER THE COMPLAINT

Defendant Anderson Trucking Service, Inc.; Annett Holdings, Inc.; Barr-Nunn Transportation, Inc.; C.H. Robinson Worldwide, Inc.; Con-Way Truckload, Inc.; Crete Carrier Corporation; CRST, Inc.; Dart Transit Company; Decker Truck Line, Inc.; Dedicated Logistics, Inc. (DLI); Fortune Transportation Company; Fremont Contract Carriers, Inc.; Grand Island Contract Carriers, Inc.; Harris Quality, Inc.; Heartland Express, Inc.; Hunt Transportation, Inc.; IWX Motor Freight; K&B Transportation, Inc.; Koch Trucking, Inc.; Lakeville Motor Express, Inc.; Mayflower Transportation, LLC; M.C. International Transportation, Inc.; Metro Express Transportation Services, Inc.; Midwest Motor Express, Inc.; New Prime, Inc.; Prime Floral, LLC; Ruan Transportation Management Systems, Inc.; Schuster Co.; Shaffer Trucking; Smithway Motor Xpress Corp.; Transport Corporation of America, Inc.; Tri-State Motor Transit Company, d/b/a Bed Rock, Inc.; Unigroup Worldwide, Inc.; Waller Truck Co., Inc.; Weinrich Truck Line, Inc.; and Werner Enterprises, Inc., (collectively the "Moving Parties") respectfully move the Court for an order, pursuant to Rule 6(b) of the Federal Rules of Civil procedure, extending the time to serve an answer to the Complaint as set forth below.

- 1. Plaintiff commenced this action against the Moving Parties and other defendants by filing a Complaint with this Court on March 18, 2011.
 - 2. The Moving Parties were served with the Complaint on July 8, 2011.
- 3. The current deadline for the Moving Parties to serve an answer to the Complaint is July 29, 2011.
- 4. On April 13, 2011, Qualcomm Incorporated filed a motion, pursuant to 28 U.S.C. § 1407, with the Judicial Panel on Multidistrict Litigation, seeking centralization of this action and all related actions in the District of Minnesota (the "Transfer Motion"). The Transfer

Motion has been docketed as *In re Vehicle Tracking and Security System* ('844) *Patent Litigation*, MDL No. 2249 and is scheduled to be heard on July 28, 2011.

- 5. Accordingly, in the interests of judicial economy, the Moving Parties respectfully request that the Court extend the deadline for the Moving Parties to serve an answer until the earlier of (a) 45 days after the Judicial Panel on Multidistrict Litigation issues a decision on the Transfer Motion or (b) September 12, 2011.
- 6. Plaintiff does not oppose this motion and agrees to the extension of time as requested herein.

Dated: July 19, 2011 <u>s/Douglas J. Williams</u>

Douglas J. Williams (#117353) Felicia J. Boyd (#186168) Niall A. MacLeod (#269281) Aaron A. Myers (#311959) BARNES & THORNBURG LLP 225 South Sixth Street, Suite 2800 Minneapolis, MN 55402

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